

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Carol Rousseau,

Plaintiff,

Case No. 04-73726

v.

Hon. Nancy G. Edmunds

Jo Anne Barnhart, Commissioner of Social Security,

Defendant.

ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's June 8, 2005, Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including Defendant's Objections if any, the Court finds that the Magistrate reached the correct conclusion in the Report and Recommendation. Accordingly, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Plaintiff's motion for summary judgment is DENIED to the extent she seeks an immediate award of benefits, that her motion otherwise be GRANTED, that the Commissioner's motion for summary judgment be DENIED, that the ALJ's decision is REVERSED, and that this matter be remanded for further proceedings consistent with the Report and Recommendation. Pursuant to sentence four of 42 U.S.C. § 405(g), this matter is hereby REMANDED to the Secretary of Health and Human Services for further proceedings.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 21, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 21, 2005, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager